

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**Before the Honorable Gregory B. Wormuth
United States Magistrate Judge**

Clerk's Minutes

CIV 12-775 LH/GBW

Wood v. Bennett et al.

Date of Hearing: 2/19/2014
(recorded FTR Dona Ana)

Attorneys for Plaintiff:	Frank Balderrama
Attorney for Defendants:	Michael Scott Owen
Proceedings:	Motion Hearing
<i>Start Time:</i>	10:30 a.m.
<i>Stop Time:</i>	10:38 a.m.
Total Time:	8 minutes
Clerk:	RLK

Notes:

- The Court explained that it set the hearing based on what transpired at the settlement conference in Las Cruces. The Court noted that Mr. Fergusson had appeared on behalf of Plaintiff but was not apprised of Plaintiff's position on settlement. The Court asked Mr. Balderrama to explain what had happened.
- Mr. Balderrama apologized for not being present and for not properly preparing Mr. Fergusson.
- The Court accepted Mr. Balderrama's apology but emphasized that the conduct with regard to this settlement conference would not be acceptable in the future.

The Court also noted that it was amenable to resetting settlement conferences because of scheduling issues.

- The Court asked Mr. Owen if, because of his client flying in, Defendant would be seeking any sanctions, and Mr. Owen stated that Defendant would not be.
- Mr. Fergusson stated his appreciation that the Court had made the hearing telephonic.
- The Court concluded the conference.